**IN THE HIGH COURT OF JUDICATURE FOR**

**RAJASTHAN AT JODHPUR**

**::::**

**O R D E R**

**Smt. Saroj Ghai**
**Vs.**
**State of Rajasthan & Ors.**

**S.B. CIVIL WRIT PETITION NO.4548/2002 UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.**

**DATE OF ORDER :: 16th October, 2006**

**PRESENT**

**HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ**

Mr.I.R. Choudhary, Advocate for the petitioner.
Mr.Rameshwar Dave, Dy. Govt. Advocate for respondents.

**BY THE COURT**

In this writ petition for writ, challenge has been posed to the order dated 31st October, 2002 passed by the District Education Officer (Elementary), Jodhpur.

By this impugned order dated 31st October, 2002, the petitioner was transferred from Panchayat Samiti, Luni to Panchayat Samiti, Osian. This Court while issuing notice to show cause to the respondents by the order dated 18th November, 2002 stayed operation of the impugned order dated 31st October, 2002 qua the petitioner. In pursuance of the order dated 31st October, 2002 order of transfer has not been given effect qua the petitioner and he is still working at Panchayat Samiti, Luni.

In view of the fact that the order of transfer was passed on 31st October, 2002 i.e. about four years back, instead of entering into the merit of the case, I consider it appropriate to quash the order dated 31st October, 2002 but with a liberty to the respondents to pass a fresh transfer order, if they consider it necessary in administrative exigencies.

With these observations, the writ petition stands disposed of.

**[MOHAMMAD RAFIQ],J.**

A.K.Chahar/-